

**Introduced by Senator Price**

February 15, 2012

---

An act to amend Sections 48645.5 and 48916 of the Education Code, relating to pupils.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1088, as introduced, Price. Pupils: readmission.

(1) Existing law requires each school district and county office of education to accept for credit full or partial coursework satisfactorily completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency. If a pupil completes the graduation requirements of his or her school district of residence while being detained in a juvenile facility, as specified, the school district of residence is required to issue to the pupil a diploma from the school the pupil last attended before detention or, in the alternative, the county superintendent of schools is authorized to issue the diploma.

This bill would prohibit a school from denying enrollment or readmission to a pupil solely on the basis that he or she has had contact with the juvenile justice system, as specified.

(2) Existing law provides that, at the time of the expulsion, the governing board of a school district shall set a date when the pupil shall be reviewed for readmission to a school maintained by the district or to the school the pupil last attended, not later than the last day of the semester following the semester in which the expulsion occurred.

This bill would additionally require the governing board of the school district, if it denies the readmission of an expelled pupil, to set a date not later than the last day of the semester following the semester in which the readmission was denied to reevaluate the pupil for readmission to a regular school district program or to the school the pupil last

attended before the expulsion, subject to specified requirements. By requiring the governing board of a school district to conduct additional readmission evaluations, this bill would impose a state-mandated local program.

(3)The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 48645.5 of the Education Code is  
2 amended to read:

3 48645.5. (a) Each public school district and county office of  
4 education shall accept for credit full or partial coursework  
5 satisfactorily completed by a pupil while attending a public school,  
6 juvenile court school, or nonpublic, nonsectarian school or agency.  
7 The coursework shall be transferred by means of the standard state  
8 transcript. If a pupil completes the graduation requirements of his  
9 or her school district of residence while being detained, the school  
10 district of residence shall issue to the pupil a diploma from the  
11 school the pupil last attended before detention or, in the alternative,  
12 the county superintendent of schools may issue the diploma.

13 (b) *A pupil shall not be denied enrollment or readmission to a*  
14 *public school solely on the basis that he or she has had contact*  
15 *with the juvenile justice system, including, but not limited to:*

16 (1) *Arrest.*

17 (2) *Adjudication by a juvenile court.*

18 (3) *Formal or informal supervision by a probation officer.*

19 (4) *Detention for any length of time in a juvenile facility or*  
20 *enrollment in a juvenile court school.*

21 SEC. 2. Section 48916 of the Education Code is amended to  
22 read:

23 48916. (a) An expulsion order shall remain in effect until the  
24 governing board, in the manner prescribed in this article, orders

1 the readmission of a pupil. At the time an expulsion of a pupil is  
2 ordered for an act other than those described in subdivision (c) of  
3 Section 48915, the governing board shall set a date, not later than  
4 the last day of the semester following the semester in which the  
5 expulsion occurred, when the pupil shall be reviewed for  
6 readmission to a school maintained by the district or to the school  
7 the pupil last attended. If an expulsion is ordered during summer  
8 session or the intersession period of a year-round program the  
9 governing board shall set a date, not later than the last day of the  
10 semester following the summer session or intersession period in  
11 which the expulsion occurred, when the pupil shall be reviewed  
12 for readmission to a school maintained by the district or to the  
13 school the pupil last attended. For a pupil who has been expelled  
14 pursuant to subdivision (c) of Section 48915, the governing board  
15 shall set a date of one year from the date the expulsion occurred,  
16 when the pupil shall be reviewed for readmission to a school  
17 maintained by the district, except that the governing board may  
18 set an earlier date for readmission on a case-by-case basis.

19 (b) The governing board shall recommend a plan of  
20 rehabilitation for the pupil at the time of the expulsion order, which  
21 may include, but not be limited to, periodic review as well as  
22 assessment at the time of review for readmission. The plan may  
23 also include recommendations for improved academic performance,  
24 tutoring, special education assessments, job training, counseling,  
25 employment, community service, or other rehabilitative programs.

26 (c) The governing board of each school district shall adopt rules  
27 and regulations establishing a procedure for the filing and  
28 processing of requests for readmission and the process for the  
29 required review of all expelled pupils for readmission. Upon  
30 completion of the readmission process, the governing board shall  
31 readmit the pupil, unless the governing board makes a finding that  
32 the pupil has not met the conditions of the rehabilitation plan or  
33 continues to pose a danger to campus safety or to other pupils or  
34 employees of the school district. A description of the procedure  
35 shall be made available to the pupil and the pupil's parent or  
36 guardian at the time the expulsion order is entered.

37 (d) If the governing board denies the readmission of an expelled  
38 pupil pursuant to subdivision (c), the governing board shall make  
39 a determination either to continue the placement of the pupil in  
40 the alternative educational program initially selected for the pupil

1 during the period of the expulsion order or to place the pupil in  
2 another program that may include, but need not be limited to,  
3 serving expelled pupils, including placement in a county  
4 community school. *The governing board shall also set a date, not*  
5 *later than the last day of the semester following the semester in*  
6 *which the readmission was denied, to reevaluate the pupil for*  
7 *readmission to a regular school district program or to the school*  
8 *the pupil last attended before the expulsion. This reevaluation*  
9 *shall be conducted in the same manner as the initial readmission*  
10 *procedure and in accordance with the requirements of subdivision*  
11 *(c).*

12 (e) The governing board shall provide written notice to the  
13 expelled pupil and the pupil's parent or guardian describing the  
14 reasons for denying the pupil readmittance into the regular school  
15 district program, *and, if applicable, specifying the date on which*  
16 *the pupil will be reevaluated for readmission.* The written notice  
17 shall also include the determination of the educational program  
18 for the expelled pupil pursuant to subdivision (d). The expelled  
19 pupil shall enroll in that educational program unless the parent or  
20 guardian of the pupil elects to enroll the pupil in another school  
21 district.

22 SEC. 3. If the Commission on State Mandates determines that  
23 this act contains costs mandated by the state, reimbursement to  
24 local agencies and school districts for those costs shall be made  
25 pursuant to Part 7 (commencing with Section 17500) of Division  
26 4 of Title 2 of the Government Code.